IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 8TH JUNE 2007 / 18TH JYAISHTA 1929

Tr.P(Crl.).No. 47 of 2007()

AGAINST THE ORDER IN ST NOS. 1656,1657, 1658, 1659 AND 1660/2006, of J.M.F.C.-III,PALAKKAD

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PETITIONER:

L.KUMARAN, S/O. LAKSHMANA MOOTHAN, RESIDING AT 29/261(1), `SREELAKSHMI', KARNAKI NAGAR, VADAKKANTHARA, PALAKKAD.

BY ADV. SRI.V.CHITAMBARESH

RESPONDENTS:

M/S.SREE GOKULAM CHIT AND FINANCE CO., LTD., REPRESENTED BY ITS BRANCH MANAGER, THERADAPUZHA BUILDING, OPPOSITE TOWN RAILWAY STATION, R.S.ROAD, PALAKKAD - 678 001.

BY ADV. SRI.K.S.BABU
SMT.N.SUDHA

THIS TRANSFER PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 08/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

T.P.(Cr.) NO.47 of 2007

Dated this the 8th day of June, 2007

ORDER

The petitioner is an accused in five prosecutions – all under Sec.138 of the Negotiable Instruments Act and all initiated by the same respondent/complainant herein. According to the petitioner, he had joined a chitty at Palakkad and had issued cheques also at Palakkad. All the relevant transactions took place at Palakkad. But the complainant had chosen to present the cheques for encashment at Thrissur. In these circumstances, it is prayed that all the cases may be transferred to the court at Palakkad.

2. The respondent has entered appearance through counsel. He has raised no objection. I am, in these circumstances, satisfied that the prayer for transfer can be

allowed.

3. In the result:

(a) This petition is allowed as agreed.

(b) S.T.Nos.1656, 1657, 1658, 1659 and 1660 of 2006 - all pending before the Judicial Magistrate of the First Class-III, Thrissur, are transferred to the Court of the Judicial Magistrate of the First Class, Palakkad. The learned Judicial Magistrate of the First Class-III, Thrissur, shall forthwith transmit the records to the Court of the Judicial Magistrate of the First Class, Palakkad.

(c) The parties shall appear before Court of the Judicial Magistrate of the First Class, Palakkad, on 2/7/07 without waiting for any further direction.

Sd/-
(R. BASANT, JUDGE)

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P.S. to Judge